

Department of Public Health
and Human Services

Section:
CASE MANAGEMENT

TANF CASH ASSISTANCE

Subject:
Family Investment Agreement/
WoRC Employability Plan

Supersedes: TANF 701-1 (07/01/07);

References: ARM 37.78.102, .206, and .216; 45 CFR 261.30 - .36; Deficit Reduction Act of 2005

GENERAL RULE-- Certain individuals who are included in the filing unit, even if they are not considered part of the assistance unit due to disqualification, must negotiate, sign, and comply with a Family Investment Agreement and a WoRC Employability Plan (FIA/EP) as a condition of eligibility for TANF cash assistance.

All individuals who are required to have a FIA/EP must be referred to either the WoRC program or the Tribal NEW program for case management. The Family Investment Agreement (FIA) section of the FIA/EP will indicate which program the individual is referred to. This section is signed by the participant and the Eligibility Case Manager (on behalf of the State).

If the participant is referred to the WoRC program, he or she must negotiate activities for the Employability Plan (EP) section of the FIA/EP with WoRC before TANF cash assistance benefits can be authorized. The Employability Plan section is signed by the participant and the WoRC Case Manager.

NOTE: If the initial benefit will be pro-rated, the participant must be informed that the start date of benefits will depend on the date they negotiate the EP with the WoRC Case Manager. (TANF 103-5).

A copy of the FIA/EP is given to the participant, one retained in both the TANF case file and the WoRC case file, and a working copy on the TEAMS Employability Plan/FIA screen (EMPL).

**INDIVIDUALS
REQUIRED TO
HAVE A FIA/EP
(CODED 'IN')**

Any of the following eligible individuals who are coded "IN" on AF SEPA must negotiate, sign and comply with their individual FIA/EP:

1. Adult parent (natural or adoptive) of minor child in household (adult/child indicator 'A');
2. Adult spouse of a parent of a minor child in the household (adult/child indicator 'A');

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3. Adult caretaker relative, other than parent, who has requested to be included in the assistance unit (adult/child indicator 'A');
4. Minor children age 16 or 17 not attending school full-time (adult/child indicator 'T');

NOTE: If the 16 or 17-year-old is home schooled, he or she is considered to be 'attending school full-time'.

4. Teen parents not living independently and not attending school (adult/child indicator 'F');
5. Teen parents living independently (adult/child indicator 'I'); and
6. Minor parents (adult/child indicator 'I').

**INDIVIDUALS
REQUIRED TO
HAVE A FIA/EP
(CODED 'DQ')**

Any of the following eligible individuals **with an adult/child indicator of "A" or "I"** on AF SEPA who are coded **'DQ'** on SEPA are considered 'work eligible individuals' and must negotiate, sign and comply with their own FIA/EP:

1. Parent (adoptive or biological) who is disqualified due to sanction (DQ/SN);
2. Parent (adoptive or biological) who is disqualified due to intentional program violation (DQ/IF);
3. Parent (adoptive or biological) who is disqualified due to being a fleeing felon (DQ/FF);
4. Parent (adoptive or biological) who is disqualified due to being a probation/parole violator (DQ/FF);
5. Parent (adoptive or biological) who is disqualified for conviction in Federal or State court of having made a fraudulent statement or representation with respect to the place of residence in order to receive assistance simultaneously from two or more states (DQ/IF); and
6. Parent (adoptive or biological) who is disqualified for other reasons (DQ/OT).

NOTE: Parents who are disqualified and coded DQ/DR; DQ/IS; 'DQ/TP' or 'DQ/OT' for non-cooperation with TPL/HIPPS or Program Compliance (TANF 703-1) make the household ineligible for benefits.

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REQUIRED TO
HAVE A FIA/EP**

The following individuals are not required to negotiate and comply with a FIA/EP:

1. Spouse (who is not a parent of a minor child in the household) who is disqualified for any reason;
2. Caretaker relatives who are not included in the assistance unit or who are coded 'DQ' for any reason;

EXAMPLE: A grandmother caring for her grandchild is not required to be included in the assistance unit (but is required to be in the filing unit to qualify the minor child as living with a specified caretaker relative) and is coded 'OU' on the SEPA screen. If she chooses to be included, her Participation Code is 'IN' and she is required to have a FIA/EP. If she is sanctioned and coded 'DQ/SN', she is not a "work-eligible" individual and is not required to have a FIA/EP during the sanction penalty month.

3. Individuals who do not meet the citizenship/alien criteria to be eligible for assistance (DQ/IA);
4. Teen parent not living independently, in school (Adult/child indicator 'N');
5. Minor child or teen attending school;
6. Individuals not included in the assistance unit;
7. Individuals who are coded "DP"; and
8. Individuals who are coded "DQ" on SEPA **but do not have an adult/child indicator of "A" or "I"** (e.g. disqualified teen parent who is not living independently and not in school. Adult/Child indicator is 'F'.)

MINOR CHILD

A minor child age 16 or 17 included in his/her parent's grant and attending school full-time, is not required to have a FIA/EP. However, if at any time he or she drops out of school, graduates or completes the program (thus no longer attending full-time) and continues to live with a specified caretaker relative, he or she is required to develop his/her own FIA/EP and comply through the month of his/her 18th birthday.

If the child is age 18 and not attending school, he or she is no longer a minor child. (TANF 304-1)

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School enrollment and attendance must be verified at the beginning of each school year. During summer vacation, the child is considered enrolled as a full-time student.

TEEN PARENT

A teen parent is an individual under age 18, unmarried and caring for his/her minor child.

If the teen parent is living independently (TANF 302-1), a FIA/EP is required (adult/child indicator of 'I').

If a teen parent is not living independently (TANF 302-1), a FIA/EP is only required if he or she is **not** attending school full-time (adult/child indicator of 'F').

NOTE: See TANF 201-1 for a chart outlining participation codes, adult/child indicators, FIA/EP requirements and time clock information for teen parents and minor parents.

**SCHOOL
ATTENDANCE**

In most public schools (elementary and secondary), full-time attendance is defined as receiving instruction for the school term (180 instructional days) approximately six (6) hours per day/30 hours per week.

To determine school attendance and full-time student status for the 16, 17, or 18-year-old minor child, request a statement from the appropriate school official.

**SPECIAL SCHOOL
SITUATIONS
MINOR CHILD OR
TEEN PARENT**

If the 16, 17, or 18 year old is home schooled, he or she is considered to be 'attending school full-time' and therefore, is not required to have a FIA/EP. Participation in a course of study must be verified. Some ways home schooling can be verified are (list not inclusive):

1. A lesson plan.
2. Verification of registration with the County Superintendent of Schools.
3. Statements from the parent and child stating that the child is being home schooled.

If the 16, 17, or 18 year old is attending special education classes to their maximum capabilities or attending regular classes to their maximum capabilities based on medical restrictions, this is considered attending school full-time and the teen would not be required to have a FIA/EP.

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If the 16, 17, or 18 year old is attending **Graduate Equivalency Diploma (GED)** classes full-time rather than attending high school, the teen would not be required to have a FIA/EP.

NOTE: If the 16 or 17-year-old is studying for GED independently or attending GED classes less than full time, a FIA/EP is required. The 18-year-old would no longer be considered a minor child.

If a minor child with a FIA/EP is attending school, preparing for a GED or attending adult basic education less than full time but for at least one hour per week, the HSE component must be used on EMPL for the appropriate number of hours. Education should always be the first choice of activities.

MINOR PARENT

A minor parent is an individual under age 18, married and caring for his/her minor child; or emancipated by the court. A minor parent is treated as an adult for participation purposes. (TANF 305-1 and 201-1)

**FIA/EP
RENEWAL**

The Family Investment Agreement (FIA) section of the FIA/EP is renewed at least every twelve months in conjunction with the annual redetermination of TANF cash assistance. TEAMS will not allow authorization of benefits beyond that date. It is, therefore, important to set this date for early in the month to assure the next month's benefits are issued timely if the participant has to reschedule.

At the FIA/EP renewal and redetermination appointment, a review of the number of eligible months remaining (TANF 801-1) should be completed.

If the participant fails to attend the FIA/EP renewal and redetermination appointment, the case closes at the end of the month. If the participant contacts the Eligibility Case Manager to reschedule the FIA/EP renewal and redetermination but a new appointment is not set until after the 10-day notice cutoff, a closure notice must be sent to the household. The case manager explains to the participant the need for a timely closure notice in case the rescheduled appointment is missed.

The Employability section of the FIA/EP is a "working" document that must be negotiated with the participant and the WoRC Case Manager on at least a monthly basis. There must a signed current Employability Plan in the WoRC Case File by the 15th of the current month, for the following month, or case closure will be recommended.

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